

AMENDED IN ASSEMBLY APRIL 23, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1598**

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**Introduced by Assembly Member Rodriguez**

February 4, 2014

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An act to amend Section 8588.10 of the Government Code, to amend Sections 1797.116 and 1797.132 of the Health and Safety Code, and to amend Sections 13514.1 and 13519.12 of the Penal Code, relating to emergency response services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1598, as amended, Rodriguez. Emergency response services: active shooter incidents.

(1) Existing law requires the Director of Emergency Services to establish a Curriculum Development Advisory Committee (CDAC) to, among other things, provide advice on the development of terrorism awareness course curricula and response training. Existing law establishes in the Department of Justice the Commission on Peace Officer Standards and Training (CPOST), which is required to, among other things, adopt rules establishing minimum standards relating to physical, mental, and moral fitness that govern the recruitment of peace officers.

This bill would require CDAC to consult with CPOST.

(2) Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority (EMSA), which is responsible for the coordination and integration of all state agencies concerning

emergency medical services. Under existing law, EMSA is required to establish training standards that include the criteria for the curriculum content recommended by CDAC, involving the responsibilities of first responders to terrorism incidents and to address the training needs of those identified as first responders.

This bill would additionally require that those training standards include criteria for coordinating between different responding entities.

(3) Existing law establishes the Interdepartmental Committee on Emergency Medical Services (ICEMS), which is required to advise EMSA on the coordination and integration of all state activities concerning emergency medical services.

This bill would require ICEMS to consult with CPOST regarding emergency medical services integration and coordination with peace officer training.

(4) Existing law requires CPOST to develop and disseminate guidelines and standardized training recommendations for Special Weapons and Tactics (SWAT) teams, as specified, that would be available for use by law enforcement agencies that conduct SWAT operations. Under existing law, those guidelines are required, at a minimum, to address legal and practical issues of SWAT operations, personnel selection, fitness requirements, planning, hostage negotiation, tactical issues, safety, rescue methods, after-action evaluation of operations, logistical and resource needs, uniform and firearms requirements, risk assessment, policy considerations, and multijurisdictional SWAT operations. Existing law also directs CPOST to establish training standards and develop a course of instruction involving the responsibilities of first responders to terrorism incidents, as specified.

This bill would additionally require those guidelines and training standards to address tactical casualty care and coordination with emergency medical services providers.

*The bill would make related legislative findings and declarations, and include a related statement of legislative intent.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) (1) *The Legislature finds and declares that*  
2     *since the Columbine High School shootings that occurred in 1999,*

1 *more than 250 people have been killed in the United States during*  
2 *what has been classified as active shooter and mass casualty*  
3 *incidents. These incidents involve one or more suspects who*  
4 *participate in an ongoing, random, or systematic shooting spree,*  
5 *demonstrating the intent to harm others with the objective of mass*  
6 *murder.*

7 (2) *It has become evident that these events may take place in*  
8 *any community or venue and that they impact fire and police*  
9 *departments, regardless of their size or capacity. Local*  
10 *jurisdictions vary widely in available emergency response*  
11 *resources, staffing, and equipment allocations. Protocols and*  
12 *training for response to active shooter incidents must be*  
13 *established locally to work within the resource capabilities and*  
14 *limitations of each jurisdiction.*

15 (b) *It is therefore the intent of the Legislature to do all of the*  
16 *following:*

17 (1) *Require the development of collaborative protocols and*  
18 *relationships between local and state first response entities,*  
19 *including law enforcement agencies, fire departments, and*  
20 *emergency medical services providers and agencies, in order that*  
21 *those entities shall act effectively and in concert to address active*  
22 *shooter incidents across California.*

23 (2) *Require first response entities to seek collaborative training*  
24 *opportunities, including, but not limited to, table top or simulation*  
25 *exercises, to assess plan implementations, and to include other*  
26 *entities that may be involved in active shooter incidents in those*  
27 *trainings, such as schools, city or county personnel, and private*  
28 *businesses.*

29 (3) *Require basic and ongoing training for law enforcement*  
30 *agency personnel, fire department personnel, emergency medical*  
31 *services personnel, and the personnel for other first responders*  
32 *include, as appropriate, training and education on active shooter*  
33 *incidents, tactical casualty care, and interagency coordination.*

34 (c) *It is further the intent of the Legislature that each first*  
35 *response entity, in collaboration with other law enforcement*  
36 *agencies, fire departments, and emergency medical services*  
37 *providers and agencies, develop protocols for responding to active*  
38 *shooter incidents. It is the intent of the Legislature that those*  
39 *protocols be reviewed annually to ensure that they are current,*  
40 *and address any policy, geographic, or demographic changes that*

1 warrant a response strategy review. The Legislature intends that  
2 the protocols address all of the following:

3 (1) The roles, responsibilities, and policies of each entity in  
4 responding to an active shooter incident.

5 (2) Preassessment and contingency planning that includes  
6 identification of potential targets within the jurisdiction.

7 (3) Implementation of an Incident Command System (ICS),  
8 including emergency protocols for a unified command structure  
9 for entities responding to an active shooter incident.

10 (4) Interagency communication issues and needs, including,  
11 but not limited to, radio interoperability and establishment of  
12 common language, terms, and definitions to be used on the scene  
13 of an active shooter incident.

14 (5) Identification of resources for responding to an active  
15 shooter incident, including, but not limited to, primary and  
16 secondary needs and hospitals.

17 (6) Tactical deployment of available resources for responding  
18 to an active shooter incident.

19 (7) Emergency treatment and extraction of persons injured in  
20 an active shooter incident.

21 **SECTION 1.**

22 *SEC. 2.* Section 8588.10 of the Government Code is amended  
23 to read:

24 8588.10. (a) The director shall establish a Curriculum  
25 Development Advisory Committee to advise the office on the  
26 development of course curricula, as specified by the director.

27 (b) The committee shall be chaired by the director, who will  
28 appoint members as appropriate. In appointing members to the  
29 committee, the director shall include representatives from the  
30 following:

31 (1) State public safety, health, first responder, and emergency  
32 services departments or agencies, as deemed appropriate by the  
33 director.

34 (2) Local first responder agencies.

35 (3) Local public safety agencies.

36 (4) Nonprofit organizations, as deemed appropriate by the  
37 director.

38 (5) Any other state, local, tribal, or nongovernmental  
39 organization determined by the director to be appropriate.

1 (c) The committee shall consult with the Commission on Peace  
2 Officer Standards and Training.

3 ~~SEC. 2.~~

4 *SEC. 3.* Section 1797.116 of the Health and Safety Code is  
5 amended to read:

6 1797.116. (a) The authority shall establish additional training  
7 standards that include the criteria for the curriculum content  
8 recommended by the Curriculum Development Advisory  
9 Committee established pursuant to Section 8588.10 of the  
10 Government Code, involving the responsibilities of first responders  
11 to terrorism incidents and to address the training needs of those  
12 identified as first responders. Training standards shall include, but  
13 not be limited to, criteria for coordinating between different  
14 responding entities.

15 (b) Every EMT I, EMT II, and EMT-P, as defined in Sections  
16 1797.80, 1797.82, and 1797.84, may receive the appropriate  
17 training described in this section. Pertinent training previously  
18 completed by any jurisdiction's EMT I, EMT II, or EMT-P  
19 personnel and meeting the training requirements of this section  
20 may be submitted to the training program approving authority to  
21 assess its content and determine whether it meets the training  
22 standards prescribed by the authority.

23 ~~SEC. 3.~~

24 *SEC. 4.* Section 1797.132 of the Health and Safety Code is  
25 amended to read:

26 1797.132. An Interdepartmental Committee on Emergency  
27 Medical Services is hereby established. This committee shall advise  
28 the authority on the coordination and integration of all state  
29 activities concerning emergency medical services. The committee  
30 shall include a representative from each of the following state  
31 agencies and departments: the Office of Emergency Services, the  
32 Department of the California Highway Patrol, the Department of  
33 Motor Vehicles, a representative of the administrator of the  
34 California Traffic Safety Program as provided by Chapter 5  
35 (commencing with Section 2900) of Division 2 of the Vehicle  
36 Code, the Medical Board of California, the State Department of  
37 Public Health, the Board of Registered Nursing, the State  
38 Department of Education, the National Guard, the Office of  
39 Statewide Health Planning and Development, the State Fire  
40 Marshal, the California Conference of Local Health Officers, the

1 Department of Forestry and Fire Protection, the Chancellor’s Office  
2 of the California Community Colleges, and the Department of  
3 General Services. The committee shall consult with the  
4 Commission on Peace Officer Standards and Training regarding  
5 emergency medical services integration and coordination with  
6 peace officer training.

7 ~~SEC. 4.~~

8 *SEC. 5.* Section 13514.1 of the Penal Code is amended to read:

9 13514.1. (a) On or before July 1, 2005, the commission shall  
10 develop and disseminate guidelines and standardized training  
11 recommendations for all law enforcement officers, supervisors,  
12 and managers whose agency assigns them to perform, supervise,  
13 or manage Special Weapons and Tactics (SWAT) operations. The  
14 guidelines and standardized training recommendations shall be  
15 available for use by law enforcement agencies that conduct SWAT  
16 operations.

17 (b) The training and guidelines shall be developed in  
18 consultation with law enforcement officers, the Attorney General’s  
19 office, supervisors, and managers, SWAT trainers, legal advisers,  
20 and others selected by the commission. Development of the training  
21 and guidelines shall include consideration of the recommendations  
22 contained in the Attorney General’s Commission on Special  
23 Weapons and Tactics (S.W.A.T.) Final Report of 2002.

24 (c) The standardized training recommendations shall at a  
25 minimum include initial training requirements for SWAT  
26 operations, refresher or advanced training for experienced SWAT  
27 members, and supervision and management of SWAT operations.

28 (d) The guidelines shall at minimum address legal and practical  
29 issues of SWAT operations, personnel selection, fitness  
30 requirements, planning, hostage negotiation, tactical issues, safety,  
31 rescue methods, tactical casualty care, coordination with emergency  
32 medical services providers, after-action evaluation of operations,  
33 logistical and resource needs, uniform and firearms requirements,  
34 risk assessment, policy considerations, and multijurisdictional  
35 SWAT operations.

36 (e) The guidelines shall provide procedures for approving the  
37 prior training of officers, supervisors, and managers that meet the  
38 standards and guidelines developed by the commission pursuant  
39 to this section, in order to avoid duplicative training.

1 ~~SEC. 5.~~

2 *SEC. 6.* Section 13519.12 of the Penal Code is amended to  
3 read:

4 13519.12. (a) Pursuant to Section 13510, the Commission on  
5 Peace Officer Standards and Training shall establish training  
6 standards and develop a course of instruction that includes the  
7 criteria for the curriculum content recommended by the Curriculum  
8 Development Advisory Committee established pursuant to Section  
9 8588.10 of the Government Code, involving the responsibilities  
10 of first responders to terrorism incidents. The course of instruction  
11 shall address the training needs of peace officers at a managerial  
12 or supervisory level and below who are assigned to field duties.  
13 The training shall be developed in consultation with the Department  
14 of Justice and other individuals knowledgeable about terrorism  
15 and address current theory, terminology, historical issues, and  
16 procedures necessary to appropriately respond to and effectively  
17 mitigate the effects of a terrorism incident, including, but not  
18 limited to, appropriate tactical casualty care and coordination with  
19 emergency medical services providers that respond to the incident.

20 (b) The commission shall expedite the delivery of this training  
21 to law enforcement through maximum use of its local and regional  
22 delivery systems.

23 (c) To maximize the availability and delivery of training, the  
24 commission shall develop a course of instruction to train trainers  
25 and first responders dealing with terrorism incidents using a variety  
26 of formats.

27 (d) Every police chief and sheriff, the Commissioner of the  
28 Highway Patrol, and other general law enforcement agency  
29 executives may determine the members of their agency to receive  
30 the emergency response to terrorism incidents training developed  
31 by the commission under this section. The persons to be trained  
32 may include, but are not limited to, peace officers that perform  
33 general law enforcement duties at a managerial or supervisory  
34 level or below and are assigned to field duties.

35 (e) For purposes of this section, a “terrorism incident” includes,  
36 but is not limited to, an active shooter incident. An “active shooter  
37 incident” is an incident where an individual is actively engaged in  
38 killing or attempting to kill people in a confined area.

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